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**Remarks**

This communication is considered fully responsive to the non-final Office Action mailed May 19, 2006. Claims 1-28 were examined. Claims 1-28 stand rejected. Claim 21 is amended. No claims are canceled. No new claims are added. Reexamination and reconsideration of the currently pending claims are respectfully requested.

**New Power of Attorney**

Applicant respectfully requests that the new Power of Attorney submitted with this Amendment and Response be entered and recognized.

**Supplemental Information Disclosure Statement**

Applicant respectfully requests that the references cited on the Supplemental Information Disclosure Statement filed herewith be considered. The fee of \$180 under 37 C.F.R. §1.17(p) is included as required under 37 C.F.R. §1.97(c).

**Claim Rejections - 35 U.S.C. 101**

The Office Action rejected claims 21-28 under 35 U.S.C. 101 as being inoperative and therefore lacks utility. The Office Action states that a computer algorithm or software product itself is inoperative unless stored in a computer readable medium.

Claim 21 is amended to recite that the software product is stored in a computer readable medium. Applicant also notes that claim 21 recites "a

software storage medium operational to store the active agent software.” Claims 22-28 depend from claim 21 and therefore also include these recitations. Therefore, Applicant believes that claims 21-28 are valid under Section 101, and Applicant respectfully requests withdrawal of this rejection.

### **The Cited References and Applicant's Invention**

Applicant notes that Baker is directed to different art than that which is claimed by Applicant. Baker is directed to restricting access to information in a local area network using a software component with a specific purpose of managing access rights to public information for each user terminal. The access rights can only be modified by an authorized manager. See, e.g., Baker at col.1, lines 14-16, col.3, lines 8-15, 21-32, and 62-67, col.7, lines 1-16.

Davis is also directed to different art than that which is claimed by Applicant. Davis deals with the problems of re-engineering (for downsizing) in large-scale enterprises. Davis employs a process flow engine to coordinate and schedule execution of the process flow activities on the resources available. The process flow engine is programmed with resources that are available to the enterprise (such as people, computers, programs, and SLAs for telecommunications channels). See, e.g., col. 2, lines 29-54, col. 3, lines 1-7 and 10-13, and col.4, lines 15-19 and 47-57.

Applicant's invention, on the other hand, is dealing with the problems of collaboration and automating information access and exchange in a distributed environment using a persistent storage service and a software component for

each user that can be programmed to both receive and trigger events on behalf of the user. See, e.g., paragraphs [0021]-[0022], [0029]-[0031], [0056], [0080]-[0083], [0117], [0144]-[0151], [0159]-[0161], [0166]-[0168], and [0171]-[0172]. The differences with the cited references are discussed in more detail below with reference to the rejections and claim recitations.

**Claim Rejections - 35 U.S.C. 102(b)**

The Office Action rejected claims 2, 4, 8, 10-13, 15, 19, 21, 23, and 27 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,678,041 to Baker, et al. (hereinafter referred to as "Baker"). Applicant respectfully traverses this rejection.

Claim 2 recites "a role of the individual." Baker fails to disclose at least these recitations. The Office Action cites generally to Baker at col. 4, lines 17-34, col. 5, lines 45-65, and col. 6, lines 4-12. It is not clear from these citations what specifically the examiner considers to be "a role of the individual."

At col. 4, lines 17-34, Baker discloses determining the identity of the requesting user terminal from the URL header, and a relational database containing a listing associating user identification codes with a user clearance code, which indicate a rating class of network resources. But there is no disclosure of "a role of the individual."

At col. 5, lines 45-65, Baker further discloses that the listing of user terminal identification codes and various user clearances may instead be restrictive, and that individual users may be identified by a personal password

or other identifying code. But there still is no disclosure of "a role of the individual."

At col. 6, lines 4-12, Baker further discloses utilizing the identification information (e.g., ID107 or ID 109) to determine the clearance category specified for a particular user. Again, there is no disclosure of "a role of the individual."

In addition, claim 2 recites "wherein the role indicates first relationships of the individual with sources of the information and with at least one function that the individual performs within the enterprise" (emphasis added). Baker fails to disclose at least these recitations. The Office Action cites generally to Baker at col. 4, lines 17-34, col. 5, lines 45-65, and col. 6, lines 4-12. As discussed above, it is not clear from these citations what specifically the examiner considers to be the role indicating "at least one function that the individual performs within the enterprise."

For at least the foregoing reasons claim 2 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 2.

Claims 4, 8, and 10-12 depend from claim 2, which is believed to be allowable. Therefore, claims 4, 8, and 10-12 are also believed to be allowable for at least the same reasons as claim 2.

In addition, claims 4 and 8 include further recitations relating to the role of the individual. Again, Baker fails to disclose anything that can be construed as the role of the individual. Accordingly, claims 4 and 8 are believed to be allowable for at least these reasons.

Furthermore, claim 4 recites "wherein the role indicates second relationships between elements in the information." Baker fails to disclose at least these recitations. The Office Action cites to Baker generally at col. 4, lines 17-34, col. 5, lines 15-24, 45-65, and col. 6, lines 4-12.

At col. 4, lines 17-34, Baker discloses determining the identity of the requesting user terminal from the URL header, and a relational database containing a listing associating user identification codes with a user clearance code, which indicate a rating class of network resources. But there is no disclosure of a "second relationship between elements in the information."

At col. 5, lines 15-24, Baker disclose requesting user terminal identifications and determining allowable resource ratings for the particular requesting user terminal. At col. 5, lines 45-65, Baker further discloses that the listing of user terminal identification codes and various user clearances may instead be restrictive, and that individual users may be identified by a personal password or other identifying code. But there still is no disclosure of a "second relationship between elements in the information."

At col. 6, lines 4-12, Baker further discloses utilizing the identification information (e.g., ID107 or ID109) to determine the clearance category specified for a particular user. Again, there is no disclosure of a "second relationship between elements in the information."

Claim 10 recites "wherein the active agent comprises a provider interface." Claim 11 recites "wherein the active agent comprises a consumer interface." Claim 12 recites "wherein the active agent comprises an execute interface." Baker fails to disclose at least these recitations.

For all three of these interfaces, the Office Action cites generally to the processor and network resources communication shown in Figure 3, col. 3, lines 15-18, col. 4, lines 17-67, col. 5, lines 1-27 and 45-65, col. 6, lines 4-12 and 49-67, and col. 7, lines 1-50 as disclosing these recitations. It is not clear from these citations what specifically the examiner considers to be each of these three separate interfaces. Apparently recognizing this deficiency, the Office Action simply states that it would be inherent to include these interfaces.

By rejecting claims 10-12 as being inherently disclosed, the Office Action is admitting that the claim recitations are not expressly shown in the cited references. Applicant agrees with this admission. However, the Office Action erroneously relied on inherency as disclosing three separate interfaces which are not disclosed by Baker. Applicant respectfully traverses this position.

In order to support a rejection based upon the inherent limitations that are not expressly disclosed in a prior art reference, more than a summary statement that the recitations are inherent is required. It must be shown that the undisclosed information was known by those of ordinary skill in the art to be present in the reference. *Rosco, Inc. v. Mirror Light Co.*, 304 F.3d 1373, 1380 (Fed. Cir. 2002).

Applicant contends that these three interfaces are not inherent in the cited references or otherwise considered common knowledge to those having ordinary skill in the art. As noted above, Baker is directed to restricting access to information in a local area network using a software component with a specific purpose of managing access rights to public information for each user terminal. The access rights can only be modified by an authorized manager.

Hence, there is no need for a provider interface, a consumer interface, and an execute interface.

If this rejection is maintained on a similar basis in a subsequent action, Applicant respectfully requests the Examiner provide affidavit evidence beyond a mere conclusionary statement to support this modification of the cited reference. "When a rejection in an application is based on facts within the personal knowledge of an employee of the office, the data shall be as specific as possible, and the reference must be supported, when called for by the applicant, by the affidavit of such employee. . . ." 37 CFR §1.104(d)(2).

For at least the foregoing reasons claims 4, 8, and 10-12 are believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claims 4, 8, and 10-12. Withdrawal of the rejection of claims 4, 8, and 10-12 is respectfully requested.

Claim 13 recites "storing a role of the individual" and "wherein the role indicates first relationships of the individual with sources of information and functions that the individual performs within the enterprise." Baker fails to disclose at least these recitations, as discussed above in more detail with regard to claim 2, and claim 13 is believed to be allowable for at least these reasons. Withdrawal of the rejection of claim 13 is respectfully requested.

Claims 15 and 19 depend from claim 13, which is believed to be allowable. Therefore, claims 15 and 19 are also believed to be allowable for at least the same reasons as claim 13.

In addition, claim 15 includes further recitations relating to the role of the individual. Again, Baker fails to disclose anything that can be construed as

the role of the individual. Accordingly, claim 15 is believed to be allowable for at least these reasons.

Furthermore, claim 15 recites "wherein the role indicates second relationships between elements in the information." Baker fails to disclose at least these recitations, as discussed above in more detail with regard to claim 4.

For at least the foregoing reasons claims 15 and 19 are believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claims 15 and 19. Withdrawal of the rejection of claims 15 and 19 is respectfully requested.

Claim 21 recites "to retrieve a role" and "wherein the role indicates first relationships of the individual with sources of information and functions that the individual performs within the enterprise." Baker fails to disclose at least these recitations, as discussed above in more detail with regard to claim 2, and claim 21 is believed to be allowable for at least these reasons. Withdrawal of the rejection of claim 21 is respectfully requested.

Claims 23 and 27 depend from claim 21, which is believed to be allowable. Therefore, claims 23 and 27 are also believed to be allowable for at least the same reasons as claim 21.

In addition, claim 23 includes further recitations relating to the role of the individual. Again, Baker fails to disclose anything that can be construed as the role of the individual. Accordingly, claim 23 is believed to be allowable for at least these reasons.



Furthermore, claim 23 recites "wherein the role indicates second relationships between elements in the information." Baker fails to disclose at least these recitations, as discussed above in more detail with regard to claim 4.

For at least the foregoing reasons claims 23 and 27 are believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claims 23 and 27. Withdrawal of the rejection of claims 23 and 27 is respectfully requested.

**Claim Rejections - 35 U.S.C. 103(a)**

The Office Action rejected claims 1, 3, 5-7, 9, 14, 16-18, 20, 22, 24-26, and 28 under 35 U.S.C. 103(a) as being unpatentable over Baker in view of U.S. Patent No. 5,937,388 to Davis, et al. (hereinafter referred to as "Davis"). Applicant respectfully traverses this rejection.

Claim 1 positively recites "said active agent being related to an individual's role within at least one enterprise" (emphasis added). Baker and Davis fail to disclose at least these recitations.

The Office Action cites generally to Baker at col. 3, lines 15-18, col. 4, lines 17-67, col. 5, lines 1-27 and 45-65, and col. 6, lines 4-12. It is not clear from these citations what specifically the examiner considers to be an "active agent being related to an individual's role within at least one enterprise."

At col. 3, lines 15-18, Baker discloses a relational database to determine access rights, and store rating information. But there is no disclosure of an "active agent being related to an individual's role within at least one enterprise."

At col. 4, lines 17-67, Baker discloses determining the identity of the requesting user terminal from the URL header, and a relational database containing a listing associating user identification codes with a user clearance code, which indicate a rating class of network resources. But there is no disclosure of an "active agent being related to an individual's role within at least one enterprise."

At col. 5, lines 15-18, Baker disclose requesting user terminal identifications and determining allowable resource ratings for the particular requesting user terminal. At col. 5, lines 45-65, Baker further discloses that the listing of user terminal identification codes and various user clearances may instead be restrictive, and that individual users may be identified by a personal password or other identifying code. But there still is no disclosure of an "active agent being related to an individual's role within at least one enterprise."

At col. 6, lines 4-12, Baker further discloses utilizing the identification information (e.g., ID107 or ID 109) to determine the clearance category specified for a particular user. Again, there is no disclosure of an "active agent being related to an individual's role within at least one enterprise."

Nor are any of these recitations disclosed by Davis. For at least the foregoing reasons claim 1 is believed to be allowable over the cited references and Applicant respectfully requests withdrawal of the rejection of claim 1.

Claims 3, 5-7, and 9 depend from claim 1, which is believed to be allowable. Therefore, claims 3, 5-7, and 9 are also believed to be allowable for at least the same reasons as claim 1, and Applicant respectfully requests withdrawal of the rejections.

Claims 14, 16-18, and 20 depend from claim 13, which is believed to be allowable for the reasons discussed above. Therefore, claims 14, 16-18, and 20 are also believed to be allowable for at least the same reasons as claim 13, and Applicant respectfully requests withdrawal of the rejections.

Claims 22, 24-26, and 28 depend from claim 21, which is believed to be allowable for the reasons discussed above. Therefore, claims 22, 24-26, and 28 are also believed to be allowable for at least the same reasons as claim 21, and Applicant respectfully requests withdrawal of the rejections.

#### Conclusion

The Applicant respectfully requests that a timely Notice of Allowance be issued in this matter. If there are any matters that may be clarified by telephone, the Examiner is encouraged to call Applicant's attorney at the number listed below.

Respectfully Submitted,

Dated: 8-14-2006

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